

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims supersedes any previous listing. Favorable reexamination and reconsideration are respectfully requested in view of the preceding amendments and the following remarks.

In this response, claims 37-52 have been cancelled and replaced with new claims 53-67. The cancellation of claims 37-52 renders moot all rejections associated therewith.

Applicant has carefully considered the Office Action of November 20, 2006. The present response is intended to fully address all points of objection raised by the Examiner, and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claims 37-51 were rejected under U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. The Examiner has indicated that the composite nature of the curing agent is critical or essential to the practice of the invention, but it is not included in the claims. Applicant agrees with the Examiner and thus, the claims have been rewritten to call for a "solid composite curing agent particles with a maximal size of less than 2 micron," as claimed in new claim 53. The subsequent new claims all are dependent on new claim 53. It is submitted that the Examiner is correct in the belief that the particles represent the spirit and inventive concept of the invention, and thus the claims have been re-written in order to better represent this.

The Examiner has also rejected claims 37-51 under U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is maintained that the newly presented claims overcomes this rejection, by distinctly stating what the composite nature of the curing agents is.

The Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. In particular, that Examiner has stated that "inorganic boron salts" as listed in instant claim 1 is not supported by the specification. To overcome this objection, "inorganic boron salts" has been changed to read, "inorganic boron halides" in new claim 55. This option is supported by paragraph 0008 of the specification (see page 3, lines 10-22 of the originally filed application) in which BF_3 and BCl_3 are recited.

The Examiner rejected claims 43, 45, and 46 under U.S.C. 112 as failing to meet the written description requirement. New claims, 58, 59, and 65, which correspond to the old claims 43, 45, and 46, have been crafted so as to only claim subject matter which is supported by the specification.

Specifically, regarding the epoxy resins (old claim 43; new claim 58), the following epoxy compounds have been deleted from the new claim: diglycidyl terephthalate resin, bixylenol epoxy resins, biphenol epoxy resins, tetraglycidyl xyleneol ethane resins, brominated bisphenol A epoxy resins, chelate epoxy resins, glyoxal epoxy resins, amino group-containing epoxy resins, dicyclopentadiene phenolic epoxy resins, silicone-modified epoxy resins, heterocyclic ring containing polyepoxide such as tris (2, 3-epoxy propyl) isocyanurate and epsilon-caprolactone-modified epoxy resins.

It is maintained that the other named epoxy compounds are supported by the specification. Specifically, bisphenol S epoxy resins, bisphenol A epoxy resins, hydrogenated bisphenol A and bisphenol F epoxy resins are supported in paragraph 0031 of the application (page 8, line 29 - page 9, line 7 of the originally filed specification), where it is mentioned, "hydrogenated bisphenol A/F/S type epoxy resin". Heterocyclic epoxy resins are supported in the same paragraph, where it is mentioned, "heterocyclic ring containing epoxy". Novolak epoxy resins and Novolak epoxy resins of bisphenol A are also supported in the same paragraph. Rubber-modified epoxy resins are supported in paragraph 0014 (page 4, lines 20-26) of the specification, where it is stated "rubber-like compositions comprising polybutadienes, polyisoprenes, polysulfides, polyurethanes, hydrogenated polybutadienes and/or polyisoprenes, ethylene-propylene copolymers, soft polyacrylate esters, polydimethyl siloxane elastomers; or any mixture thereof."

Regarding the impact modifiers and flexibilizers (old claim 45; new claim 65), carboxyl and anhydride have been deleted, as well as polyester, polyether, and polyesterate. Amines, epoxies, hydroxyls, rubber or rubber-like compositions having polybutadienes, hydrogenated butadienes, polyisoprenes, ethylene-propylene copolymers, polydimethyl elastomers, polysulfides, and polyurethane are supported by paragraph 0014 (page 4, lines 20-26) of the specification, where it is stated, "selected from amines; epoxies; hydroxy terminated rubbers; rubber-like compositions comprising polybutadienes, polyisoprenes, polysulfides, polyurethanes, hydrogenated polybutadienes and/or polyisoprenes, ethylene-propylene copolymers, soft polyacrylate esters, polydimethyl siloxane elastomers; or any mixture thereof". Acrylonitrile-butadiene is supported by paragraph 0046 (Example 1, page 11) of the specification, where "acrylated oligomer" is mentioned. Styrene-butadiene and styrene-acrylate are supported by paragraph 0015 (page 4, line 27 - page 5, line 4) of the application, where possible oligomers are listed. Ethylene-acrylate has been changed to "soft polyacrylate esters", supported in paragraph 33 (page 9, lines 11-16) of the application, where the same is

mentioned. Polyisoprenes, ethylene-propylene copolymers, and polydimethyl siloxane elastomers are also supported in paragraph 0033 (page 9, lines 11-16) of the specification.

Regarding the monomers and/or oligomers (old claim 46; new claim 59), 2-hydroxyethyl acrylate, 2-hydroxypropyl acrylate, N-vinylpyrrolidone, methoxytetraethylene glycol acrylate, methoxypolyethylene glycol acrylate, polyethylene glycol diacrylate, N,N-dimethyl acrylamide, N-methylol acrylamide, N,N-dimethylaminopropyl acrylamide, N,N-dimethylaminoethyl acrylate, N,N-dimethylaminopropyl acrylate, melamine-acrylate, diethylene glycol diacrylate, triethylene glycol diacrylate, propylene glycol diacrylate, dipropylene glycol diacrylate, tripropylene glycol diacrylate, polypropylene glycol diacrylate, phenoxyethyl acrylate, tetrahydrofurfuryl acrylate, cyclohexyl acrylate, glycerin diglycidyl ether diacrylate, glycerin triglycidyl ether triacrylate, isoborneolyl acrylate, cyclopentadiene mono- or di-acrylate; polyfunctional acrylates of polyhydric alcohols such as hexane diol, trimethylol propane, pentaerythritol, ditrimethylol propane, dipentaerythritol, and tris-hydroxyethyl isocyanurate and of ethylene oxide or propylene oxide adducts thereof; methacrylates corresponding to the acrylates enumerated above; and mono-, di-, tri-, and higher polyesters of polybasic acids with hydroxyalkyl have been left out of the new claim. Acrylated polyester, acrylated polybutadiene, and acrylated polyacrylate have also been left out. The remaining monomers/oligomers are supported by paragraphs 0035 (page 9, lines 21-26) and 0031 of the application.

The Examiner has provisionally rejected claims 37-52 on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over the combined teachings found in co-pending application No. 10/762,508. This rejection is provisionally traversed in that until one of the two applications issues and the scope of the claims of that application are determined, an effective comparison between the scopes of the two sets of claims is not possible. Thus, until one of the two applications issues, it cannot be properly determined if there is in fact a double patenting issue or if a terminal disclaimer is in fact necessary or not.

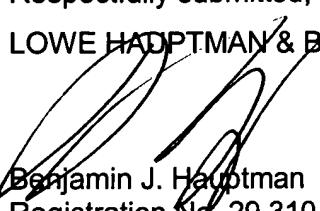
Nevertheless, it is the intent of the Applicant to re-direct the claims of the co-pending application to a *method* for the production of a thermosetting ink only. In light of this, there should not be any concern with double-patenting.

Conclusion

It is respectfully submitted that the claims as they are newly presented in this response are allowable over the art which has been applied in this Office Action. Favorable consideration and allowance of these claims, are courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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